

021004  
16638  
U.S. PTO

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.		112025-0540
First Inventor		Zafar Ali et al.
Title	GRACEFUL SHUTDOWN OF NETWORK RESOURCES IN DATA NETWORKS	
Express Mail Label No.		EV 335586346 US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
- Applicant claims small entity status.  
See 37 CFR 1.27.
- Specification [Total Pages 31]  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 11]
- Oath or Declaration [Total Pages 24]
  - Newly executed (original or copy)
  - Copy from a prior application (37 CFR 1.63 (d))  
*(for a continuation/divisional with Box 18 completed)*
  - DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**

Mail Stop Patent Application  
Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

- CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*
- Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
  - Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - CD-ROM or CD-R (2 copies); or
    - paper
  - Statements verifying identity of above copies

031356 U.S.PTO  
10/775855**ACCOMPANYING APPLICATIONS PARTS**

- Assignment Papers (cover sheet & document(s))
- 37 C.F.R. §3.73(b) Statement  Power of Attorney *(when there is an assignee)*
- English Translation Document *(if applicable)*
- Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
- Preliminary Amendment
- Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
- Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
- Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No: \_\_\_\_\_ /

Prior application information: Examiner \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label <i>(Insert C)</i>	24267	PATENT TRADEMARK OFFICE	<input type="checkbox"/> or <input checked="" type="checkbox"/> Correspondence address below <i>(Insert C)</i>
Name	Michael J. Badzinski		
Address	Cesari and McKenna 88 Black Falcon Avenue		
City	Boston	State	MA
Country	U. S. A.	Telephone	(617) 951-2500
		Zip Code	02210
		Fax	(617) 951-3927

Name (Print/Type)	Michael J. Badzinski	Registration No. (Attorney/Agent)	51,425
Signature			Date
			February 10, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent and Trademark Office/SB/17 (10-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant Claims Small Entity Status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
**1,478**

## Complete if Known

Application Number	Not yet assigned
Filing Date	February 10, 2004
First Named Inventor	Zafar Ali et al.
Examiner Name	Not yet assigned
Group Art Unit	Not yet assigned
Attorney Docket No.	112025-0540

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money  Other  None  
 Deposit Account Order

Deposit Account Number  
03-1237

Deposit Account Name  
Cesari and McKenna, LLP

The Commissioner is authorized to: (check all that apply)  
 Charge any deficiency or  
 Charge fee indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	770
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			770

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Fee from Claims below	Fee Paid
Total Claims 45 - 20** = 25 x 18 = 450	
Independent Claims 6 - 3** = 3 x 86 = 258	
Multiple Dependent	= 0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	**Reissue independent claims over original patent
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		708

\*or number previously paid, if greater; For Reissues, see below

## FFF CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English Specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility Issue fee (or reissue)	
1502 470	2502 235	Design Issue fee	
1503 630	2503 315	Plant Issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
Other fee (specify)			
SUBTOTAL (3) (\$)			0

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Michael J. Badzinski	Registration No. (Attorney/Agent)	51,425	Telephone	(617) 951-2500
Signature				Date	February 10, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS

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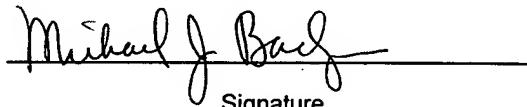
**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Zafar Ali et al.
Title	GRACEFUL SHUTDOWN OF NETWORK RESOURCES IN DATA NETWORKS
Atty Docket Number	112025-0540

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 10, 2004

Date



Signature

Michael J. Badzinski, Reg. No 51,425

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PATENTS  
112025-0540  
Seq. 7991; CPOL 326203

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re The Application of: )  
Zafar Ali et al. )  
 )  
Serial No.: Not yet assigned ) Examiner: Not yet assigned  
 )  
Filed: February 10, 2004 ) Art Unit: Not yet assigned  
 )  
For: GRACEFUL SHUTDOWN OF )  
NETWORK RESOURCES IN )  
DATA NETWORKS )  
 )  
Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
February 10, 2004

**EXPRESS-MAIL DEPOSIT**

“Express Mail” Mailing-Label Number: EV 335586346 US

The following papers are being deposited with the United States Postal Service  
“Express Mail Post Office to Addressee” service pursuant to 37 C.F.R. §1.10:

Patent Application ( 31 pages including 45 claims )  
 Oath or Declaration       Fee Transmittal Letter  
 Utility Patent Application Transmittal       Formal Drawings ( 11 sheets )  
Letter  
 Check in the amount of \$1,478.00       Information Disclosure Statement  
 PTO-1449 and Copies of References       Request for Non-Publication  
 Return Receipt Postcard